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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

ARLENE CIPRIANI,

Plaintiff,

vs.

GREEN TREE SERVICING, LLC;
FEDERAL NATIONAL MORTGAGE
ASSOCIATION; DOES 1 through 10,
inclusive; and ROE Corporations 1 through
10, inclusive,

Defendants.

Case No. 2:14-cv-00612 APG-CWH

ORDER

**UNOPPOSED MOTION FOR EXTENSION OF TIME
TO FILE RESPONSE TO MOTION TO DISMISS
(First Request)**

Plaintiff, ARLENE CIPRIANI, by and through counsel, Venicia G. Considine, Esq. and Debra A. Bookout, Esq. of the Legal Aid Center of Southern Nevada, Inc., hereby moves this Honorable Court for an Order extending the time to June 2, 2014 for Plaintiff to file her response to Defendants' Motion to Dismiss filed April 29, 2014 (Court Record "CR" 5).

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1 This Motion is made and based on the papers and pleadings on file herein and the
2 following Points and Authorities.

3 DATED this 19th day of May, 2014.

4 **LEGAL AID CENTER OF**
5 **SOUTHERN NEVADA, INC.**

6
7 /s/ Debra A. Bookout, Esq.

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Attorneys for Plaintiff

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16 **MEMORANDUM OF POINTS AND AUTHORITIES**

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18 Plaintiff Arlene Cipriani commenced this action in the Eighth Judicial District Court,
19 Clark County, Nevada, Case No. A-14-698058-C, by filing a complaint on March 21, 2014.
20 (See CR 1, Exhibit A.) Defendants filed a Petition for Removal of Action pursuant to 28 U.S.C.
21 §§1332, 1441 and 1446 on April 21, 2014 (CR 1) and a Certificate of Interested Parties on
22 April 21, 2014 (CR 4). On April 21, 2014, this Court issued a Minute Order directing the
23 parties to file a Joint Status Report. (CR 3.) Defendants filed a Notice of Motion and Motion to
24 Dismiss the complaint on April 29, 2014. (CR 5.) The Joint Status Report is due May 24, 2014.
25 (CR 3.) Plaintiff's Response to Defendants' Motion to Dismiss is currently due May 19, 2014.

26 Defendants' moved to dismiss Plaintiff's complaint pursuant to FRCP 12(b)(6). (CR 5.)
27 Plaintiff is requesting this extension of two weeks because counsel for Plaintiff needs
28 additional time to prepare and draft the opposition to the Motion to Dismiss. The Defendants

1 argue in the Motion to Dismiss, in part, that the complaint fails to allege facts with the
2 particularity required to avoid dismissal under Rule 12(b)(6). (See CR 5 at 7.) Defendants also
3 argue that Plaintiff has failed to establish an agency relationship between Fannie Mae and
4 Green Tree Servicing LLC and thus, Fannie Mae is an improper defendant. (CR 5 at 2-4.)

5 Counsel seeks this extension of time in order to conduct further research on these and
6 other issues raised in the Motion to Dismiss. Moreover, Plaintiff filed the original complaint in
7 state court in which the complaint would be subject to less stringent pleading requirements
8 than those required in federal court. Accordingly, counsel must further determine whether the
9 complaint should be amended.

10 Undersigned counsel contacted opposing counsel, Mr. Andrew Bao, on May 19, 2014
11 and advised that he has no objection to an extension of two weeks for Plaintiff to file the
12 response to the Motion to Dismiss.

13 This Unopposed Motion for Extension of Time is not filed for purposes of delay, but in
14 the interests of justice, as well as in the interest of Ms. Cipriani.

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1 Accordingly, Plaintiff moves this Court for an extension of time until June 2, 2014 to
2 file her response to the Motion to Dismiss.

3 DATED this 19th day of May, 2014.

4 **LEGAL AID CENTER OF**
5 **SOUTHERN NEVADA, INC.**

6 /s/ Debra A. Bookout, Esq.

7 Venicia G. Considine, Esq.

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16 *Attorneys for Plaintiff*

17 **ORDER**

18 IT IS SO ORDERED: that the time within which Plaintiff shall file her response to
19 Defendants' Motion to Dismiss shall be extended fourteen (14) days to June 2, 2014.

20 Dated: May 20, 2014.

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22 United States District Judge